

No. I – 17011/12/2002-H.III/
Government of India
Ministry of Housing & Urban Affairs
(Housing-III-Section)

Nirman Bhavan, New Delhi
Dated: 3rd October, 2024.

OFFICE MEMORANDUM

Subject: Compliance with the terms and conditions attached with the sanction of House Building Advance (HBA)-reg.

Instructions have been issued from time to time to all Ministries and Departments of the Government of India to ensure compliance of all terms and conditions attached with the sanction of House Building Advance (HBA) as per provisions of the extant HBA Rules.

2. This Ministry vide OM No. I-17011/12/2002-H.III dated the **9th January, 2003 (copy attached)** has issued instructions to ensure compliance attached with the sanction including those relating to insurance and mortgage by all the concerned loanee government servants. Moreover, provisions have also been made for condonation/relaxation in these terms and conditions in cases where the circumstances are beyond the control of the loanee government servant and supported by recommendation of the concerned Joint Secretary/ Head of Department.

3. However, it has been observed that the cases involving condonation/relaxation of non-mortgaging and non-insurance periods etc. are being referred to this Ministry in routine manner without adequate examination. It is seen that in some cases, supporting documents justifying reasons for relaxation are not provided whereas in some, proposals are referred without the specific recommendation of the concerned Joint Secretary.

4. It is once again impressed upon all the Ministries/Departments of the Government of India that the compliance of all the terms and conditions of HBA rules should be strictly monitored in the interests of both, the loanee government employee as well as the Government of India.



5. Requests of loanee Govt. employee(s) seeking any relaxation/condonation of condition of HBA sanction/Rules including those of mortgage and insurance should be thoroughly examined by the Administrative Ministry/Department on case to case basis on its merits and documentary supports provided with the request by the employee. If they are satisfied with the justification/merits of the case, then only the case be referred to this Ministry **with concurrence of Finance Division and specific recommendation of the concerned Joint Secretary/Head of Department** for condonation/relaxation of the provisions of the HBA rules/sanction with all the details in the prescribed proforma (**ANNEXURE-I**) along with all the supporting documents (**ANNEXURE-II**) certifying that the circumstances leading to non-compliance of HBA rules are beyond the control of the government servant.

6. Further, all the Ministries/Departments are requested to keep a strict watch over compliance of the provisions of HBA rules by the loanee government employee.

7. This OM supersedes all the earlier relevant orders on the subject.

This issues with the approval of competent authority.



(Ram Singh)

Deputy Secretary to the Government of India

Tel. No. 011-23061358

To

1. All the Ministries/Department of the Government of India
2. All the attached and subordinate offices of Ministry of Housing & Urban Affairs.
3. Union Territories of Andaman & Nicobar Islands, Chandigarh, Dadra and Nagar Haveli and Daman & Diu, Lakshadweep.
4. Office of the Comptroller and Auditor General of India.
5. Supreme Court of India.

ANNEXURE-I**Information required in cases of relaxation/condonation of terms and conditions of HBA sanction:**

S.NO.	Requisite documents	Information
1	HBA sanctioning Ministry/Department	
2	i) HBA sanctioned amount ii) Year of sanction (copy of Sanction letter to be attached)	
3	Property details:- i) Type of property purchased and its address ii) Name of details of the seller agency iii) Date of completion of construction/date of possession of the property	
4	Possession letter of the flat or completion certificate of the house (copy to be attached).	
5	Is loatee still in service? Yes/No	
6	Present employer of the loatee	
7	All dues paid by loatee G/S? (Advance with interest & penal interest) Yes/No [Certificate in this regard is to be attached]	
8	Municipal taxes, if any, paid until the recovery of HBA	
9	Any other loans/advance exists for property in question? Yes/No	
10	Is Reconveyance Deed executed?	
11	Period of non-mortgage and non-insurance with details	
12	Request of the loatee G/S for condonation of the lapses with justification supported by documents.	
13.	Views of the HBA sanctioning Ministry/Department on justification for non-compliance of HBA rules. [A certificate in this regard is to be given by the concerned Ministry/Department duly certifying that the non-compliance of conditions of HBA sanction were beyond the control of the loatee Govt. Servant]	
14.	Is concurrence of Finance Division obtained? Yes/No	
15.	Is the case approved by JS (Admn)? Yes/No	

ANNEXURE-II

Documents required in cases of relaxation/condonation of terms and conditions of HBA:

1. HBA Sanction Order
2. Possession letter of the property
3. Mortgage Papers of the property
4. Insurance papers
5. Reconveyance Deed
6. Request letter of the loatee for condonation of the lapses with justification supported by documents.
7. Certificate regarding payment of all dues including interest and penal interest by the loatee.
8. Municipal tax receipts if the property was not insured during the recovery of HBA.

